

TTAB

UNITED STATES DEPARTM
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3514

Taylor

Mailed: September 7, 2005

Concurrent Use No. 94002016

TEST MASTERS EDUCATIONAL
SERVICES, INC.

v.

ROBIN SINGH

Applicant, Test Masters Educational Services, Inc.'s
proposed amendment filed on March 12, 2003 is noted.

By the proposed amendment applicant seeks to amend its
involved application Serial No. 76306308 for the mark "TEST
MASTERS" to that of a non-concurrent use status. Applicant
indicates that it filed an amendment to its application with
the Trademark Examining Attorney to remove the concurrent use
status prior to the issuance of the notice of publication but
the amendment was not acted on prior to the Board's
institution of this concurrent use proceeding. Applicant
further indicates that in a decision rendered by the United
States Court of Appeal for the Fifth Circuit, Dallas Division,
Robin Singh's Registration No. 2234514 (excepted user herein)
was cancelled.



09-19-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #30

It is also noted that Mr. Singh did not contest the amendment.

In view thereof, the concurrent use proceeding is dissolved and applicant's application Serial No. 76306308 will be forwarded to the Trademark Examining Operation for republication as an unrestricted application.

***By the Trademark Trial
and Appeal Board***

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☐ A INSUFFICIENT ADDRESS ☐ OTHER
☐ C ATTEMPTED NOT KNOWN
☐ S NO SUCH NUMBER / STREET
☒ ~~NO~~ NOT DELIVERABLE AS ADDRESSED
☒ ~~UN~~ - UNABLE TO FORWARD

RTS
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